

25 YEAR RE-REVIEW

SECRET

Subj

19 February 1965

MEMORANDUM FOR THE RECORD

SUBJECT: Electronic Eavesdropping Hearing - 18 February 1965  
Senate Judiciary Subcommittee on Administrative  
Practice and Procedure

1. The undersigned attended the hearing to observe the effectiveness of the arrangements Messrs. [redacted] made with Mr. Fensterwald, the Subcommittee Counsel, to protect Mr.

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[redacted], a subpoenaed witness [redacted]

25X1

[Large redacted area]

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terms and he could not help but feel that they strongly identify with government interest.

6. With the exception of [ ] and [ ] counsel, 25X1 25X1 all the witnesses freely demonstrated their gadgets (even though some of the gadgets were not known to others in the trade). However, they firmly held the line and did not openly disclose on questions relating to their customers, sales volume, and judgments on whether it was proper for their customers to use such devices.

7. The hearings will resume on 23 February 1965.

[ ]  
Office of Legislative Counsel

Attachments

Distribution:

Orig - Subject

1 - Chrono

1 - C/Commo

1 - C/TSD

1 - LOG - [ ]

1 - Security [ ]

OGC/LC/[ ] rm (19 February 1965)

16 February 1965

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[ ] During the course of the day a meeting was held in which representatives of TSD, Commo, Security, Logistics and this office developed the facts concerning the Agency's relationships with Mr. [ ] who is scheduled to appear before the Senate Judiciary Subcommittee on Administrative Practice and Procedure this Thursday. As a subsequent meeting with [ ], it was ascertained that [ ] has given considerable thought to his appearance before Senator Long's Subcommittee. [ ] said he is prepared to protect his relationship with the Agency and with the FBI even at the risk of being cited for contempt of Congress if necessary. [ ] was advised of our meeting with the Chief Counsel of the Subcommittee and it was agreed [ ] should meet with the Counsel this afternoon to review the ground rules for his appearance. [ ] is to report to us on this meeting. We will then have a follow up meeting with Subcommittee Counsel and Chairman Edward Long if possible.

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17 February 1965

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[ ] Messrs. [ ] talked with Mr. Bernard Fensterwald, of the Senate Subcommittee on Administrative Practice and Procedure staff, with further reference to the appearance of [ ] in Subcommittee hearings tomorrow. Mr. Fensterwald said [ ] had visited him yesterday, that they had a very good meeting, and that the Chairman proposed to make an opening statement which would delineate the Subcommittee's area of interest concerning [ ] activities to his relationships with the Treasury Department and the Department of Health, Education and Welfare. In addition, Mr. Fensterwald said he proposes to alert each member of the Subcommittee advising them to avoid any penetrating questions and has also made arrangements with [ ] to speak up in his behalf if it appears the situation warrants.

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Mr. Fensterwald was thanked for his cooperation. We repeated the statement that [ ] testimony before the Subcommittee was a matter of concern at the highest level and indicated we would attempt to speak to the Chairman personally if it was physically possible to do so. Mr. Fensterwald said he appreciated our situation and had no objection to our talking with Chairman Edward Long.

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21 April 1965

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[redacted] At his request, I met with Mr. Bernard Fensterwald, Chief Counsel of the Subcommittee on Administrative and Practice and Procedure. Mr. Fensterwald said he had received at least 45 or 50 letters and other communications alleging that American scientists had developed an electronic means for reading a persons mind, i.e., being able to detect the unspoken word. Fensterwald said he had been inclined to regard these communications as crackpot items but similar statements by this number of persons, many of whom are respected scientists, physicians, etc., compel him to at least look into this. He said these people had also indicated that this same device could be used to implant material in an individuals mind. Although Fensterwald feels this is all ridiculous, he would appreciate our checking with our scientists on it. I told him I would be glad to do so.

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15 September 1975

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[redacted] met with Bernard Fensterwald, Chief Counsel of the Subcommittee on the Administrative Practice and Procedure of Senate Judiciary Committee. Also present was Raymond Cole of the staff. Fensterwald explained that neither the Chairman nor the staff had any desire or intent to get into security agencies such as CIA. He did outline some of the difficulties they have had in getting information from other law enforcement agencies. He assured us of cooperation and indicated areas where we might be of help to him in avoiding any difficulties. We also told Fensterwald that we wished to discuss this with the Chairman and we will be back in touch with Fensterwald after we have secured additional facts. See more detailed Memorandum for the Record.

Honorable Edward V. Long  
Chairman, Subcommittee on  
Administrative Practice and  
Procedure  
Committee on the Judiciary  
United States Senate  
Washington 25, D. C.

Dear Mr. Chairman:

I want to thank you and the members of your Subcommittee staff, particularly your Chief Counsel Mr. Bernard Fensterwald, for your cooperation and understanding with respect to the matter which our representatives recently discussed with you.

Our problems are not always apparent to those outside of our field and, therefore, it is all the more gratifying to receive the type of assistance which you have given. If we may be of any assistance to you or the Subcommittee staff in this or any other matter, please do not hesitate to call on us.

Faithfully yours,

Marshall S. Carter  
Lieutenant General, USA  
Acting Director

Attachment to:  
OLC: 75-2915/a